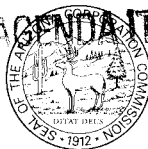




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MARC SPITZER
COMMISSIONER

OPEN MEETING AGENDA ITEM ORIGINAL



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July 3, 2002

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Arizona Corporation Commission

DOCKETED

JUL - 3 2002

Commissioner Jim Irvin
Commissioner Marc Spitzer
Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

DOCKETED BY	<i>WAM</i>
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Re: Sun City Water Company and Sun City West Utility Company (CAP Plan)

Docket Nos. W-01656A-98-0577 & SW-02334A-98-0577

Currently Scheduled for Special Open Meeting for July 11, 2002

Dear Commissioners Irvin and Spitzer:

My final preparations for our consideration of the above matter included my review of the Exceptions and Responses to Exceptions filed in May and June of this year. I have determined that an issue raised by the Sun City Taxpayers Association in its May 29, 2002 Exceptions to the Recommended Opinion and Order, warrants, in my opinion, a limited reopening of the evidentiary record in this case.

I would welcome your support in directing the Hearing Division to issue a procedural order which would enable the receipt of additional expert testimony regarding SCTA's allegation that hydrologic responses are being detected as far as four miles downstream of the Agua Fria Recharge Facility blow off structure. The purpose of such an inquiry is to obtain an independent analysis on the issue of whether recharge operations at the Agua Fria facility would ultimately benefit the Sun Cities' aquifer.

This would necessitate the pulling of this matter from the Special Open Meeting for July 11, 2002. I would encourage the Hearing Division, if my proposal is supported by one or both of you, to strive to complete this task on an expedited basis.

Under my proposal, Arizona Corporation Commission staff would be charged with the responsibility of securing an independent hydrological analysis on this issue as swiftly as possible. Other parties to this matter would not be precluded from presenting testimony on this narrow issue.

Thank you for your consideration of this request.

Sincerely,

William A. Mundell

William A. Mundell, Chairman

cc: Docket Control